

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Add subsections (b)(111) and (b)(145) of Section 7.50, and
Amend subsection (b)(196) of Section 7.50
Title 14, California Code of Regulations (CCR)
Re: Truckee River and Tributaries (Nevada, Placer and Sierra Cos.)

I. Date of Initial Statement of Reasons: August 29, 2006

II. Dates and Locations of Scheduled Hearings:

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| (a) | Notice Hearing: | Date: August 4, 2006
Location: Sacramento, CA |
| (b) | Discussion Hearing: | Date: October 6, 2006
Location: San Diego, CA |
| (c) | Discussion Hearing: | Date: November 3, 2006
Location: Redding, CA |
| (d) | Adoption Hearing: | Date: December 8, 2006
Location: Santa Monica, CA |

III. Description of Regulatory Action:

- a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Current regulations for the Truckee River from Lake Tahoe to the Nevada state line are divided into seven segments with different sport fishing regulations (Section 7.50(b)(196), Title 14, CCR). This array of regulations maintains opportunities for diverse trout fishing interests and addresses different trout management goals but is complex and may be a source of confusion for anglers.

The majority of the Truckee River falls under the Sierra Fishing District general regulations, which allow for a daily bag limit of five trout from the last Saturday in April through November 15. A long segment of the river with these general regulations, from 1,000 feet below Lake Tahoe downstream to Trout Creek, is managed to provide anglers opportunity to fish with bait or other gear and take five trout. Portions of this reach are stocked with hatchery trout. The reach of the Truckee River from Trout Creek to Gray Creek, which is managed for wild trout, has four separate segments with the same two-trout bag limit but differences in gear or length restrictions. Tributaries in this reach of the Truckee are governed with the Sierra Fishing District general regulations.

This regulation proposal reduces the number of river segments with different regulations. For the Trout Creek to Gray Creek reach, three of the four segments with existing differences would change to have the same special regulations for bag limit, size limit, and gear restriction. The fourth segment, Glenshire Bridge to Prosser Creek, would retain its existing artificial flies with barbless hooks regulation. For the three segments with the 15-inch minimum size limit a change is proposed to 14 inches total length. This would help simplify size-limit categories, as this existing 15-inch minimum limit on the

Truckee is the only one of its kind in the trout regulations.

Two important spawning tributaries, Martis Creek and Prosser Creek, fall in the District general regulations. This proposal would change those regulations so that Martis Creek and Prosser Creek below the reservoirs on each stream would have the same special regulations as the wild trout segments on the Truckee River (2-trout bag limit, 14-inch minimum size and artificial lures with barbless hooks). This change would provide some protection for rainbow and brown trout that migrate from the Truckee into these streams to spawn. The segment of the Truckee from Gray Creek downstream to the California-Nevada state line is managed for wild trout. This proposal would change the existing District general regulations in this segment to match the special regulations in the wild trout segments upstream (two-trout bag limit, artificial lures with barbless hooks, 14-inch minimum size total length).

The proposal will retain a diversity of trout angling opportunities that reflect management options that emphasize both wild trout and hatchery trout. The proposal simplifies regulations in the river segments managed for wild trout. Five segments with existing differences in regulations would be consolidated so that four of the five would have the same regulations. There is considerable support in the local community for simplifying the Truckee River angling regulations.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Section(s) 200, 202, 205, 215, 220, 240, 315, and 316.5 Fish and Game Code.

Reference: Section(s) 200, 205, 206, 215, and 316.5 Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

None.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendment.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

The Tahoe Truckee Fly Fishers, Gold Country Fly Fishers, and the Northern California Council Federation of Fly Fishers jointly submitted a similar proposal to the Commission. The difference in the Fly Fishers' proposal is that it did not include any change to the segment between Gray Creek and the Nevada state line.

(b) No Change Alternative:

The changes are necessary to simplify complicated regulations for the Truckee River and protect spawning trout in two important tributaries, Martis Creek and Prosser Creek.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The changes are necessary to simplify complicated regulations for the Truckee River and protect spawning trout in two important tributaries, Martis Creek and Prosser Creek.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

(h) Effect on Housing Costs:

None.

Informative Digest/Policy Statement Overview

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